

FILED MAR 09 1989

SENATE FILE **397**
BY COMMITTEE ON JUDICIARY

*Substituted for HF 661
Passed in House AYES 83, NAYS 11, 4-7-89 (P. 1305)
(SUCCESSOR TO SSB 122)*

Passed Senate, Date 3-27-89 (p. 1013) Passed House, Date 4/7/89 (p. 1305)
Vote: Ayes 47 Nays 1 Vote: Ayes 83 Nays 11
Approved 4-20-89 (p. 1384)

A BILL FOR

1 An Act relating to salaries of the clerks of the district court.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 397

H-3896

1 Amend Senate File 397, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 602.1215, subsection 1, Code
6 1989, is amended to read as follows:

7 1. The district judges of each judicial election
8 district shall by majority vote appoint persons to
9 serve as clerks of the district court, one for each
10 county within the judicial election district. A
11 person does not qualify for appointment to the office
12 of clerk of the district court unless the person is at
13 the time of ~~application~~ appointment a resident of the
14 county in which the vacancy exists. A clerk of the
15 district court may be removed from office for cause by
16 a majority vote of the district judges of the judicial
17 election district. Before removal, the clerk of the
18 district court shall be notified of the cause for
19 removal."

20 2. Title page, line 1 by inserting after the word
21 "salaries" the following: "and appointment".

22 3. By renumbering as necessary.

By JAY of Appanoose

H-3896 FILED APRIL 6 1989

2057 4-9-89 (P. 1304)

3896

1 Section 1. Section 602.1505, Code 1989, is amended to read
2 as follows:

3 602.1505 DISTRICT COURT CLERK OFFICES -- SALARY
4 LIMITATION.

5 1. The chief-judge-of-each-judicial-district state court
6 administrator shall set the salaries of the clerks of the
7 district court within-the-judicial-district in accordance with
8 the pay plan established under section 602.1401 and within the
9 funds appropriated by the general assembly for that purpose.

10 ~~A clerk of the district court shall not receive a salary in~~
11 ~~excess of the highest salary paid to the county auditor, the~~
12 ~~county treasurer, or the county recorder in the county in~~
13 ~~which the clerk serves.~~

14 2. ~~The annual salary of a deputy to a clerk of the~~
15 ~~district court shall not exceed eighty percent of the annual~~
16 ~~salary of the clerk of the district court.~~

17 3. ~~A clerk of the district court shall set the salaries of~~
18 ~~the deputy clerks and employees of that office, subject to~~
19 ~~subsection 2 and to the approval of the chief judge of the~~
20 ~~judicial district.~~

21 EXPLANATION

22 This bill eliminates the cap on the salaries of the clerks
23 of the district court and provides that the state court
24 administrator is to set those salaries in accordance with the
25 pay plan for court employees established by the supreme court
26 and within salary appropriations made by the general assembly.

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SENATE FILE 397
FISCAL NOTE

A fiscal note for SENATE FILE 397 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 397 eliminates the cap on the salaries of the Clerks of the District Court. Under this legislation, the Clerks and the Deputy Clerks would be entitled to reach the minimum of their paygrades.

Assumptions:

1. The Judicial Department comparable worth study would be implemented for Clerks of the District Court and their Deputies.
2. Those clerks and deputies whose current salary is below the minimum salary for the pay grade to which their classification has been assigned would be brought up to the minimum step.
3. Those clerks and deputies whose current salary fits within the pay grade to which their classification has been assigned would not be affected.

Fiscal Effect:

This legislation has a fiscal effect of \$214,979. Of this amount, \$65,979 is the cost to remove the cap from the clerks' salaries, and \$149,000 is the cost to remove the cap from the deputies' salaries.

Source: Judicial Department

(LSB 1880sc, VYW)

FILED MARCH 16, 1989

BY DENNIS PROUTY, FISCAL DIRECTOR

Doyle, Ch.
Cokeman
Gentleman

SSB 122
Judiciary
Haw

SENATE FILE 397
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to salaries of the clerks of the district court.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 602.1505, Code 1989, is amended to read
2 as follows:

3 602.1505 DISTRICT COURT CLERK OFFICES -- SALARY
4 LIMITATION.

5 ~~1- The chief-judge-of-each-judicial-district state court~~
6 ~~administrator shall set the salaries of the clerks of the~~
7 ~~district court within-the-judicial-district in accordance with~~
8 ~~the pay plan established under section 602.1401 and within the~~
9 ~~funds appropriated by the general assembly for that purpose.~~
10 ~~A-clerk-of-the-district-court-shall-not-receive-a-salary-in~~
11 ~~excess-of-the-highest-salary-paid-to-the-county-auditor, the~~
12 ~~county-treasurer, or-the-county-recorder-in-the-county-in~~
13 ~~which-the-clerk-serves.~~

14 ~~2--The-annual-salary-of-a-deputy-to-a-clerk-of-the~~
15 ~~district-court-shall-not-exceed-eighty-percent-of-the-annual~~
16 ~~salary-of-the-clerk-of-the-district-court.~~

17 ~~3--A-clerk-of-the-district-court-shall-set-the-salaries-of~~
18 ~~the-deputy-clerks-and-employees-of-that-office, subject-to~~
19 ~~subsection-2-and-to-the-approval-of-the-chief-judge-of-the~~
20 ~~judicial-district.~~

21 EXPLANATION

22 This bill eliminates the cap on the salaries of the clerks
23 of the district court and provides that the state court
24 administrator is to set those salaries in accordance with the
25 pay plan for court employees established by the supreme court
26 and within salary appropriations made by the general assembly.

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~~subsection 2 and to the approval of the chief judge of the judicial district:~~

SENATE FILE 397

JO ANN ZIMMERMAN
President of the Senate

AN ACT
RELATING TO SALARIES OF THE CLERKS OF THE DISTRICT COURT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DONALD D. AVENSON
Speaker of the House

Section 1. Section 602.1505, Code 1989, is amended to read as follows:

602.1505 DISTRICT COURT CLERK OFFICES -- SALARY LIMITATION.

1. ~~The chief judge of each judicial district state court administrator shall set the salaries of the clerks of the district court within the judicial district in accordance with the pay plan established under section 602.1401 and within the funds appropriated by the general assembly for that purpose. A clerk of the district court shall not receive a salary in excess of the highest salary paid to the county auditor, the county treasurer, or the county recorder in the county in which the clerk serves:~~

2. ~~The annual salary of a deputy to a clerk of the district court shall not exceed eighty percent of the annual salary of the clerk of the district court.~~

3. ~~A clerk of the district court shall set the salaries of the deputy clerks and employees of that office, subject to~~

I hereby certify that this bill originated in the Senate and is known as Senate File 397, Seventy-third General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved 4/20, 1989

TERRY E. BRANSTAD
Governor

SF 397